

STATE OF INDIANA



INDIANA UTILITY REGULATORY COMMISSION
302 W. WASHINGTON STREET, SUITE E-306
INDIANAPOLIS, INDIANA 46204-2764

<http://www.state.in.us/iurc/>
Office: (317) 232-2701
Facsimile: (317) 232-6758

FILED

SEP 22 2004

INDIANA UTILITY
REGULATORY COMMISSION

CAUSE NO. 42716

IN RE THE MATTER OF THE REQUEST OF)
ROSEWOOD MANOR ESTATES FOR)
COMMISSION REVIEW OF THE AUGUST 2,)
2004, CONSUMER AFFAIRS DIVISION)
DECISION OF THE INFORMAL)
COMPLAINT OF WATER SERVICES)
COMPANY OF INDIANA, INC. PURSUANT)
TO IC 8-1-2-34.5)

You are hereby notified that on this date the Indiana Utility Regulatory Commission ("Commission") has caused the following entry to be made:

On August 23, 2004, Rosewood Manor Estates ("Petitioner") filed its *Appeal of Consumers (sic) Affairs Division Decision and Request For Stay* ("Appeal") with the Commission. Through its Appeal, Petitioner seeks Commission review of the August 2, 2004, decision of the Commission's Consumer Affairs Division concerning a billing dispute between Petitioner and Water Services Company of Indiana, Inc. ("Respondent").

Since the time the Appeal was filed, the parties have informally discussed a number of procedural matters. Accordingly, the parties and the Indiana Office of Utility Consumer Counselor ("OUCC") have agreed that they will work with the Commission's Consumer Affairs Division in an effort to compile the record of which Commission review is sought. The OUCC has committed to limit the scope of its participation to the record compiled by the parties, but reserves the right to petition the Commission for leave to supplement the record with any additional facts it deems relevant.

The parties have reached informal agreement as to the procedural schedule in this Cause. In light of the nature of this proceeding and pursuant to the agreement of the parties, the Presiding Officers hereby approve the following procedural schedule, which shall become part of the record in this Cause:

1. **Petitioner's Filing Date.** Petitioner's Appeal filed August 23, 2004, shall serve as its case-in-chief.
2. **Respondent's Filing Date.** Respondent shall file its brief in response to Petitioner's Appeal on or before September 24, 2004. Petitioner waives its right to respond to this filing.

3. **OUCC Filing Date.** The OUCC may file a brief in response to the filings of Petitioner and Respondent and/or any prefiled testimony it deems relevant to supplement the facts set forth in the Consumer Affairs Decision in this matter. Any such filings, or a Notice of Intent Not to Prefile Testimony, shall be submitted to the Commission on or before September 30, 2004.

4. **Petitioner and Respondent Filing Date in Response to OUCC.** The Petitioner and Respondent may (if necessary) file briefs or supplemental testimony in response to the September 30, 2004 filings of briefs and/or supplemental testimony by the OUCC. Any such filings shall be submitted to the Commission on or before October 6, 2004.

5. **Evidentiary Hearing.** The parties shall appear for an evidentiary hearing in this cause at 3:00 p.m. on October 18, 2004, in Room E306 of the Indiana Government Center South, Indianapolis, Indiana. At that time the record shall be opened and any stipulations or motions for administrative notice shall be tendered to the Presiding Officers. The parties shall have the opportunity during the evidentiary hearing to present any oral argument they deem appropriate and to address any additional issues which may arise. Should the parties reach a settlement in this matter, the agreement should be submitted to the Commission at least five (5) business days prior to the evidentiary hearing.

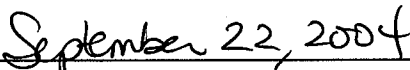
IT IS SO ORDERED.



Larry S. Landis, Commissioner



Andrea L. Brandes, Administrative Law Judge



Date